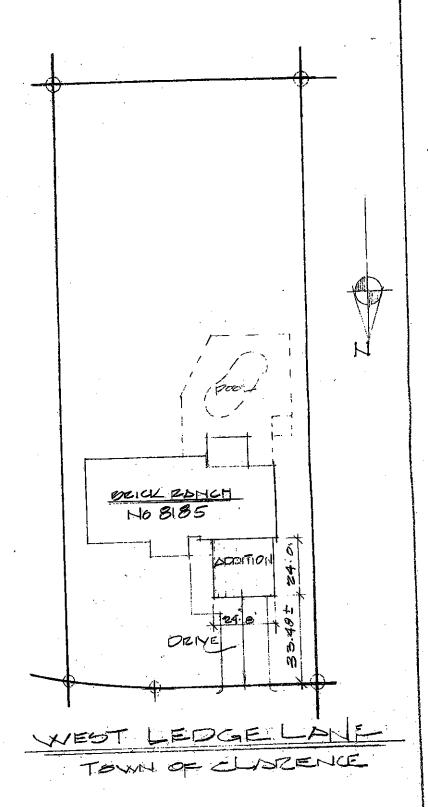
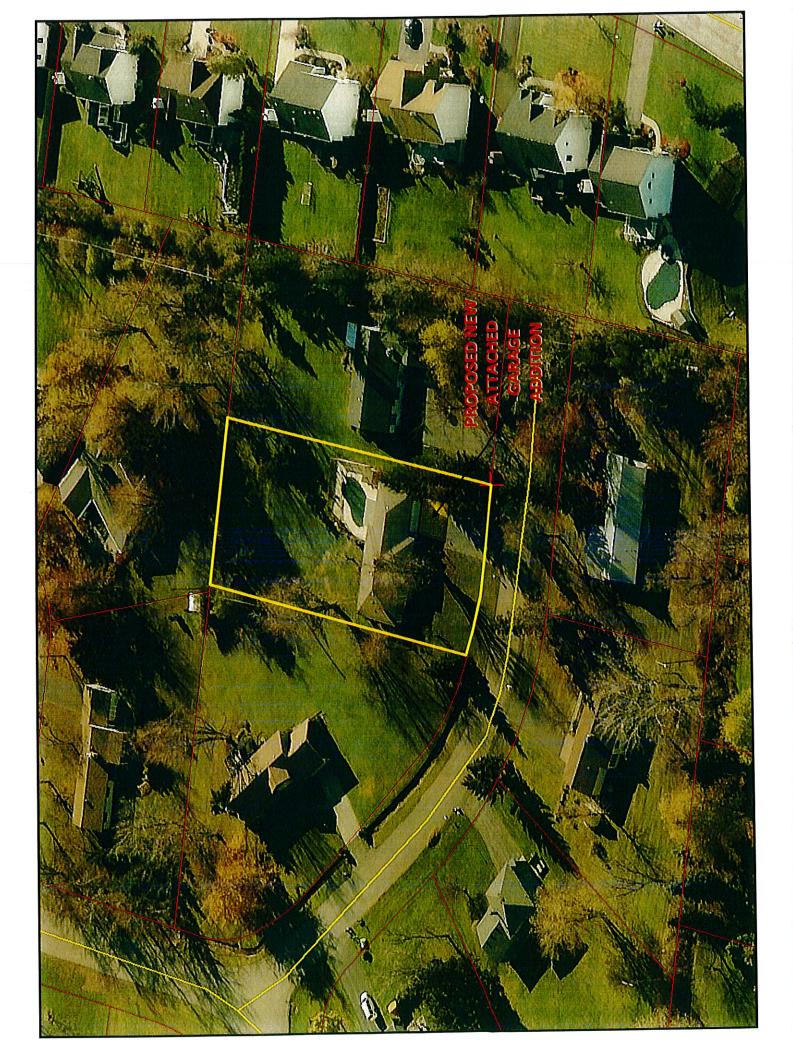
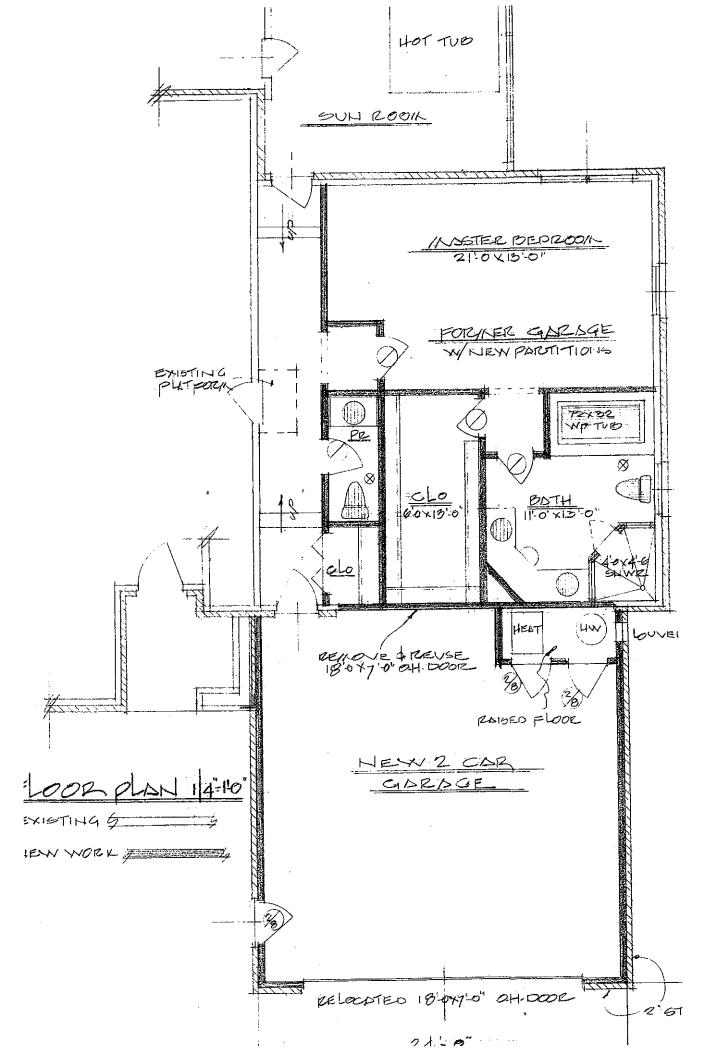
ACTION TOWN OF CLAF Appeal Board Planning Board Town Board	N BY: RENCE, N.Y.	Appeal Rezone Revise Ordinance Subdivision Limited Use Permit	M:	y: Brad Packard arch 15, 2012	
Action Desired		Applicant is requesting a 24' variance to allow for a 33'			
	front yar	front yard setback to a primary residence for the construction			
	of a new attached garage addition at 8185 West Ledge Lane in				
	the Residential Single Family zoning district.				
Reason					
Town Code R					
Section 229	-52(A)(1)			PLEASE PRINT	
		N	lame Greg Wo	olmering	
		A	ddress 8185	West Ledge Lane	
				nsville NY 14221	
		T	own/City Phone Home	State Zip e:626-7214/Cell:946-7312	
		s	igned SIGNA	ATURE ON FILE	
Requests for action on papers. The complete (except appeals) may initial Action Approved Rejected Approved Rejected Rejected	request with all ne be filed with the Tov	cessary plans. maps, signature vn Clerk or Town Board, but will	generally be referre	herwise give brief description and refer to attache ith the Secretary of the Planning Board Request ed to Planning Board with subsequent loss of time.	
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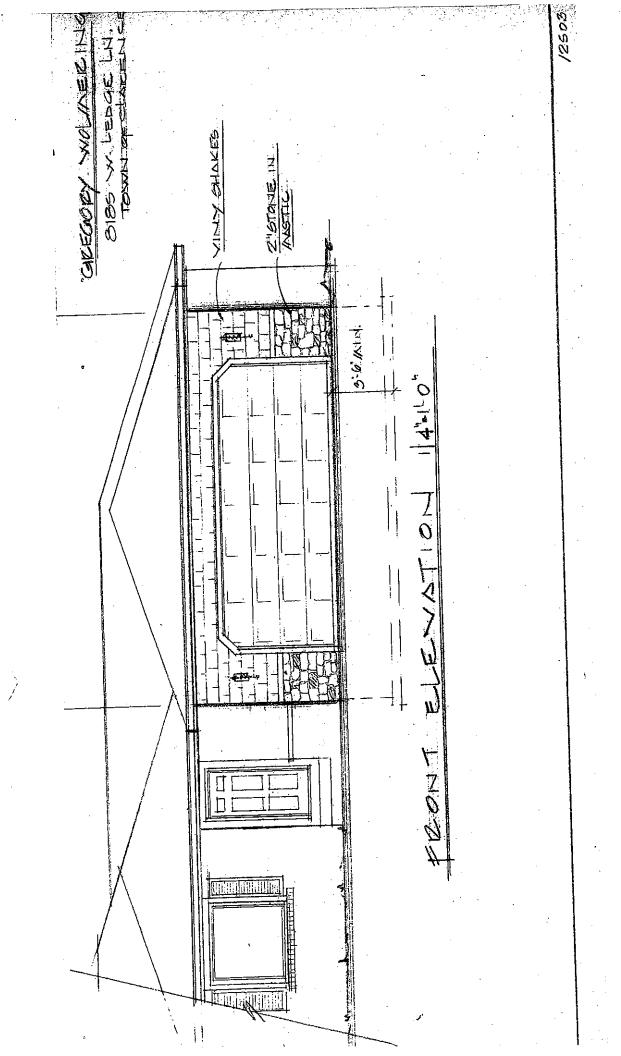


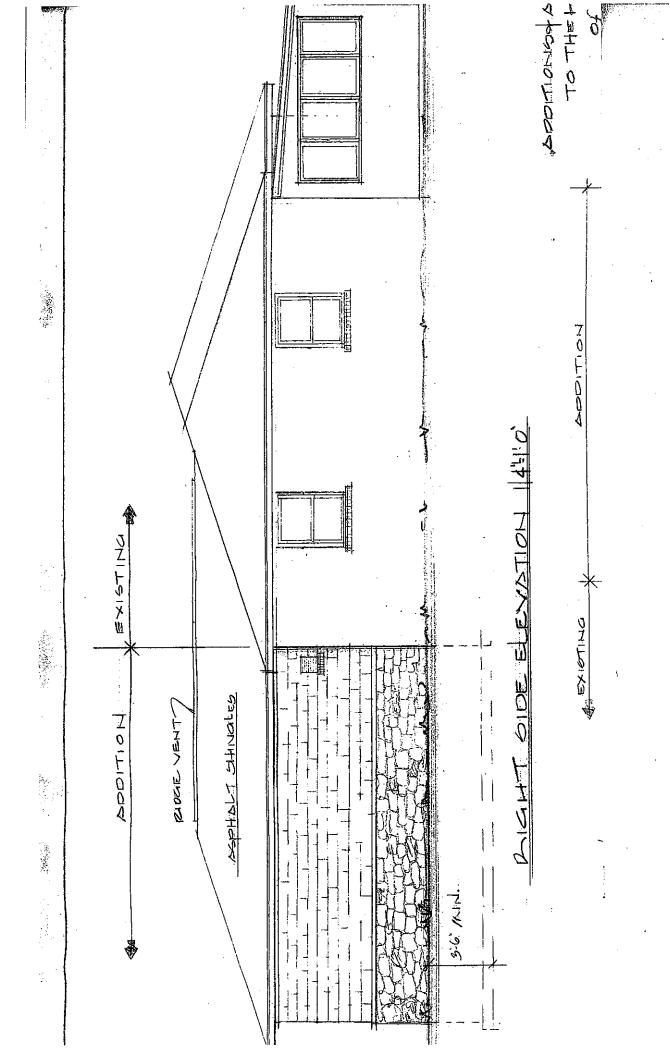
DITE PLAIN











REQUEST FOR **ACTION BY:** M Appeal Rec'd. by: Brad Packard TOWN OF CLARENCE, N.Y. ☐ Rezone ☐ Revise Ordinance Date ______27, 2012 ☐ Subdivision M Appeal Board ☐ Limited Use Permit ☐ Planning Board ☐ Other ☐ Town Board Applicant is requesting a :04 acre (1,930 square feet) variance **Action Desired** to allow for a new building lot having .30 acre (13,070 square feet) at 8146 Stahley Road in the Traditional Neighborhood zoning district. Reason ____ Town Code Reference: Section 229-60 PLEASE PRINT Name Kevin Siskar Address 8146 County Road NY14051 East Amherst Zip State Town/City 517-0962 Phone Signed SIGNATURE ON FILE Requests for action on zoning should be filled out completely in above spaces if practicable, otherwise give brief description and refer to attached papers. The complete request with all necessary plans, maps, signatures, should be filed with the Secretary of the Planning Board. Requests (except appeals) may be filed with the Town Clerk or Town Board, but will generally be referred to Planning Board with subsequent loss of time Initial Action Approved by on 19 Rejected Approved Rejected on 19 Published (Attach Clipping) Final Action Taken

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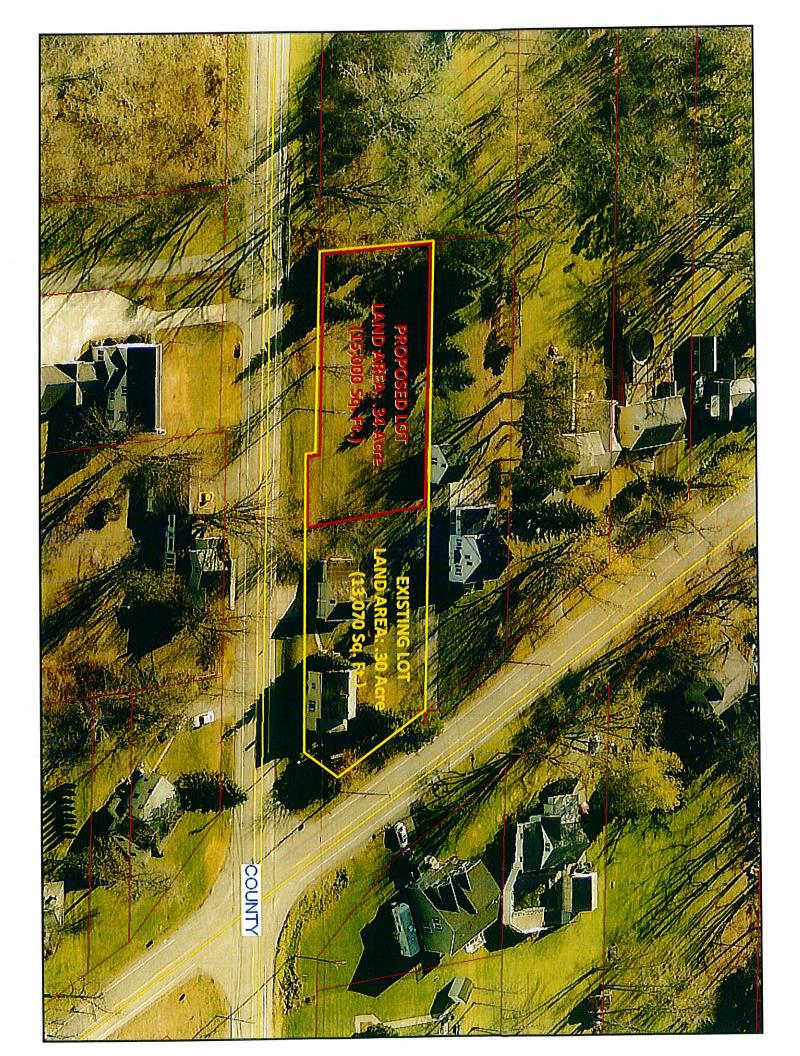
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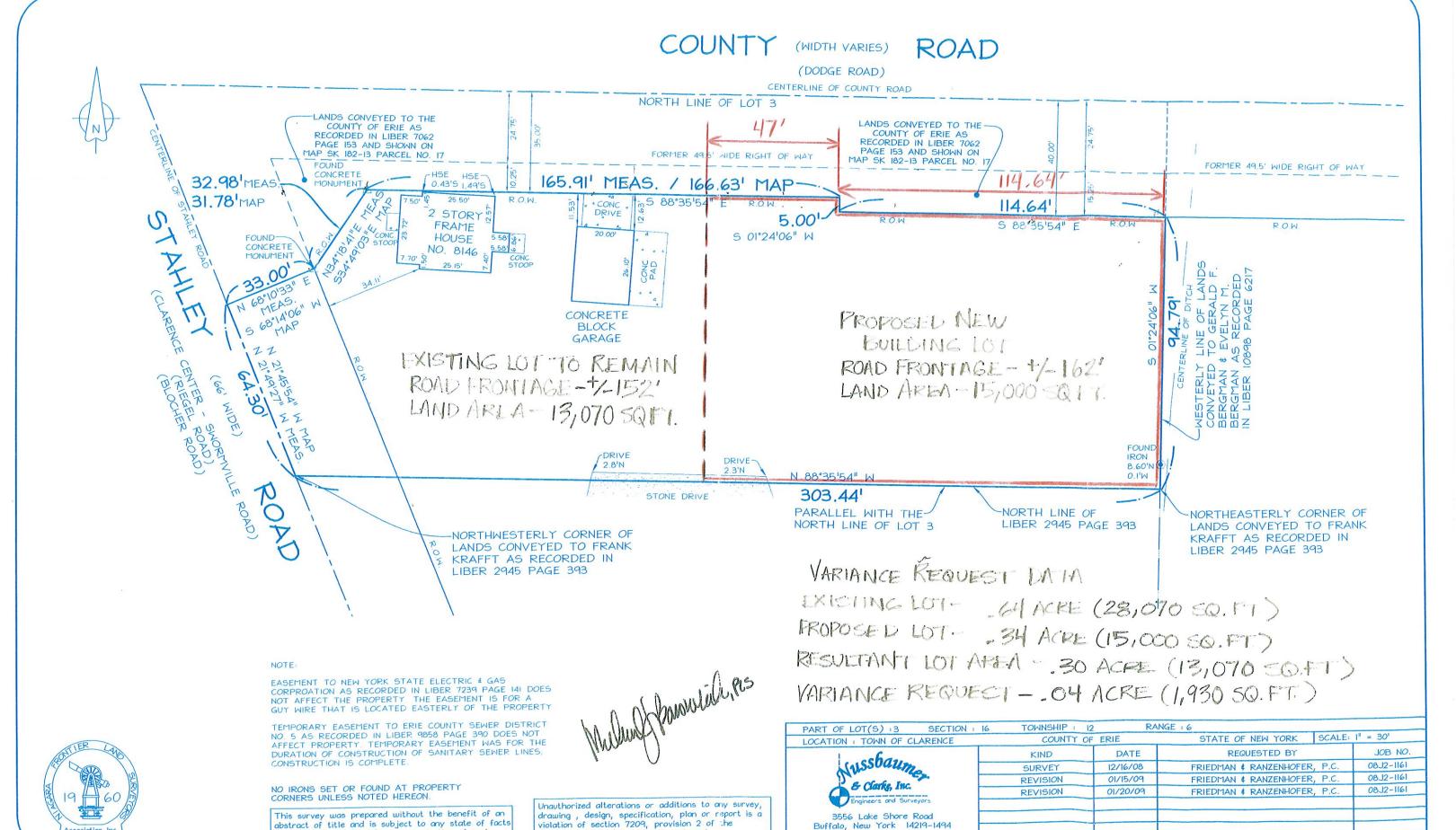
Filed with County Clerk

by

Rejected







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DRAWING NO. 08J2-1161

New York State Education Department.

that may be revealed by an examination of such.

REQUEST FOR ACTION BY: M Appeal Rec'd. by: Brad Packard TOWN OF CLARENCE, N.Y. ☐ Rezone ☐ Revise Ordinance M Appeal Board ☐ Subdivision Date March 28, 2012 ☐ Limited Use Permit ☐ Planning Board ☐ Town Board ☐ Other Action Desired Applicant is requesting a 903 square foot variance to allow for the construction of a 1,103 square foot detached accessory structure (pool house) at 9433 Hunting Valley Road South in the Residential Single Family zoning district. Reason ___ Town Code Reference: Section 229-55(H) PLEASE PRINT Name Mike Giokas Address 9433 Hunting Valley Road South 14031 Clarence NYTown/City Zip State 200-9825 Phone Signed SIGNATURE ON FILE Requests for action on zoning should be filled out completely in above spaces if practicable, otherwise give brief description and refer to attached papers. The complete request with all necessary plans, maps, signatures, should be filed with the Secretary of the Planning Board. Requests (except appeals) may be filed with the Town Clerk or Town Board, but will generally be referred to Planning Board with subsequent loss of time Initial Action Approved by on 19 Rejected Approved by 19 Rejected on 19 Published (Attach Clipping)

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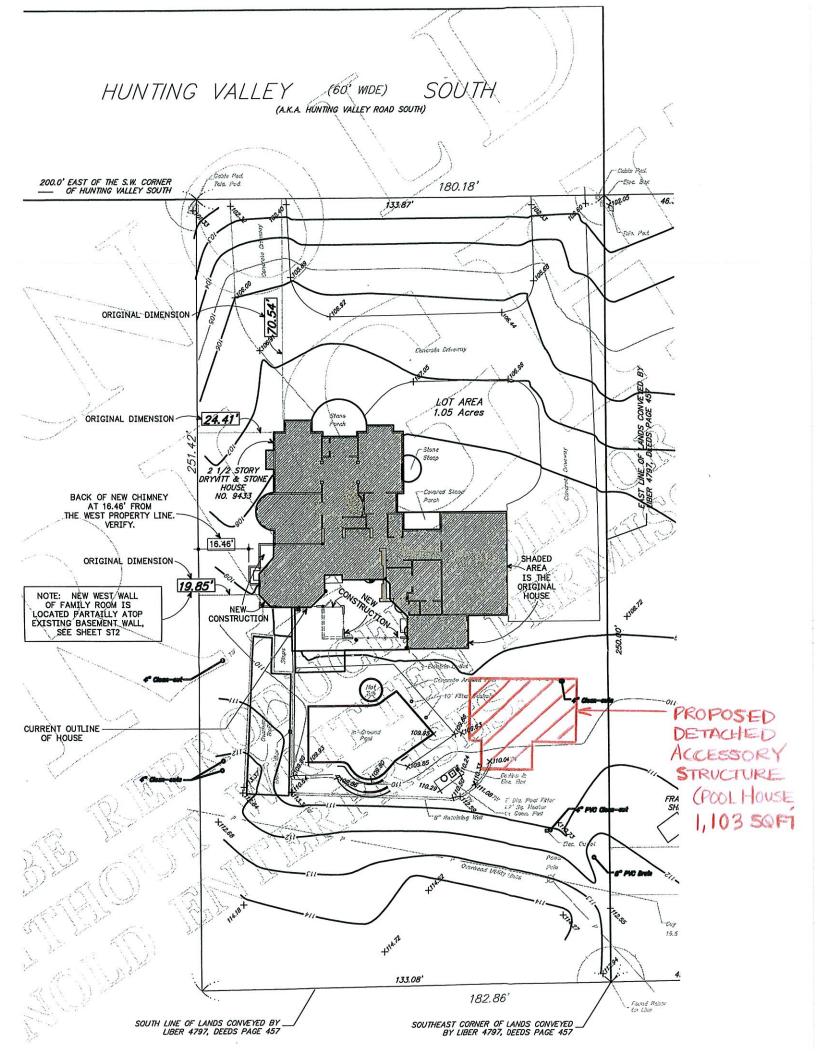
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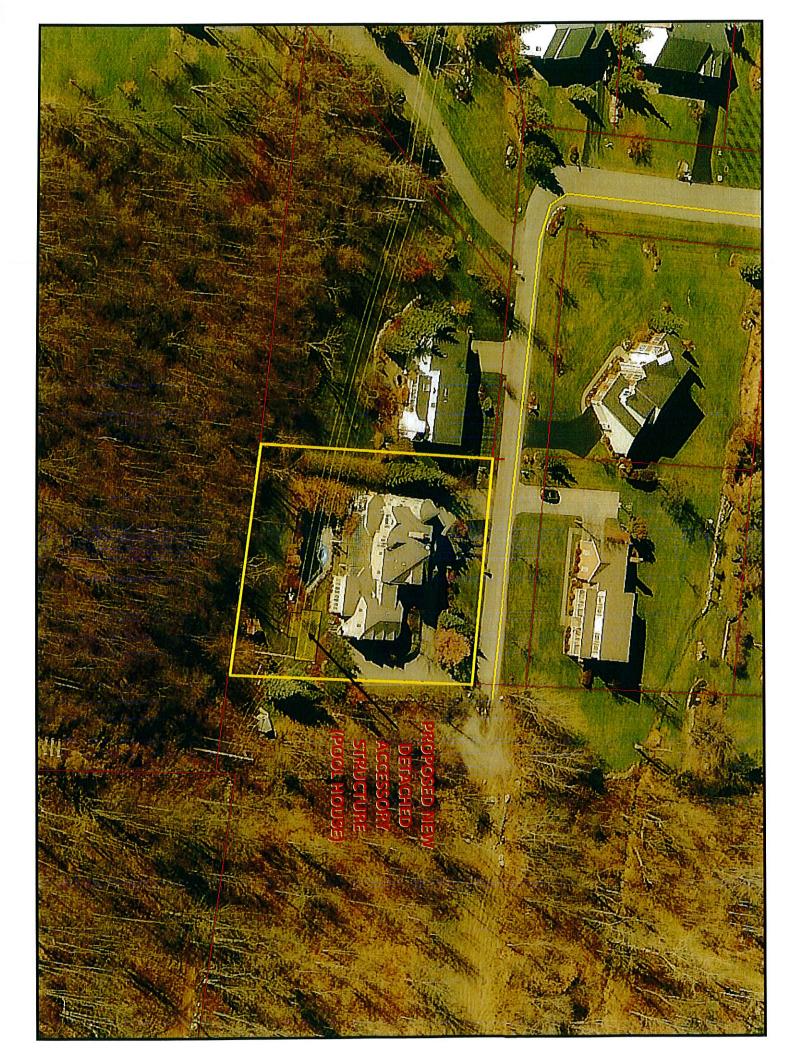
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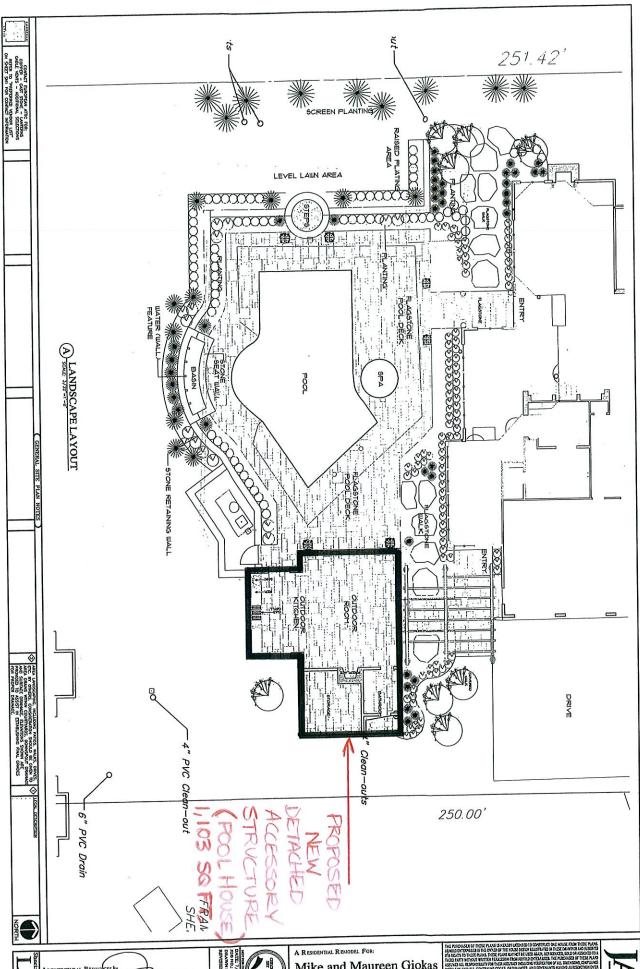
Filed with County Clerk

Rejected







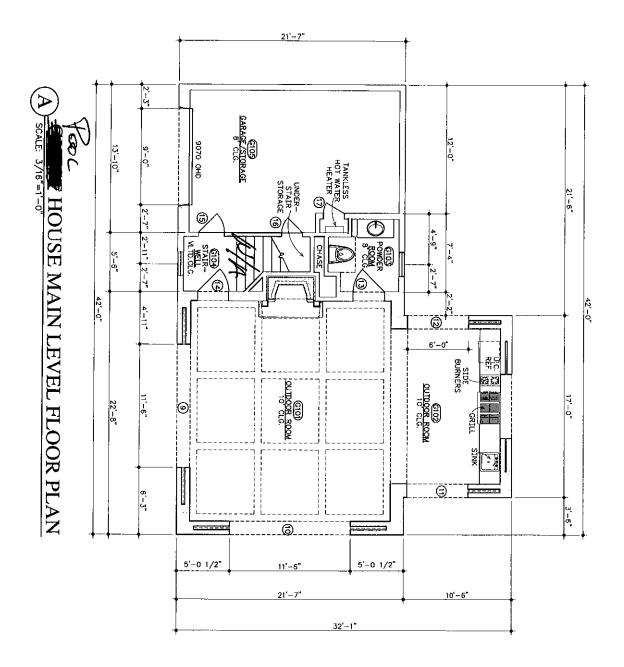






Mike and Maureen Giokas 9433 HUNTING VALLEY SOUTH CLARENCE, NEW YORK





REQUEST FOR **ACTION BY:** Appeal Rec'd. by: Brad Packard TOWN OF CLARENCE, N.Y. ☐ Rezone ☐ Revise Ordinance M Appeal Board ☐ Subdivision Date March 28, 2012 ☐ Limited Use Permit ☐ Planning Board ☐ Town Board □ Other Applicant is requesting 2 variances to allow for the **Action Desired** construction of a +/- 87,000 square foot Produce Market at 8555 Transit Road in the Major Arterial zoning district. Variance #1: Applicant is requesting a 32' variance to allow for a 103' front yard setback to parking from center line of public right of way. <u>Variance #2</u>: Applicant is requesting a 21' variance to allow for a 24' greenbelt setback to an adjoining residential use. Reason _ Town Code Reference: Variance #1: Section 229-94(D) / Variance #2: Section 229-94(H) PLEASE PRINT Acting as Agent for Applicant: (Richard Name Niagara County Produce Michael Metzger, President Dorr) Address 8555 Transit Road Metzger Civil Engineers East Amherst NY14051 8560 Main Street, Suite 3 Town/City State Zip Williamsville, NY 14221 625-9151 Phone Signed SIGNATURE ON FILE Phone: 633-2601 Requests for action on zoning should be filled out completely in above spaces if practicable, otherwise give brief description and refer to attached papers. The complete request with all necessary plans, maps, signatures, should be filed with the Secretary of the Planning Board. Requests (except appeals) may be filed with the Town Clerk or Town Board, but will generally be referred to Planning Board with subsequent loss of time Initial Action Approved on 19 Rejected Approved Rejected Published (Attach Clipping) **Final Action Taken** Approved Rejected by Published (Attach Clipping) Filed with Town Clerk

Filed with County Clerk

on 19

REQUESTED VARIANCE DESCRIPTION

Niagara County Produce would like to construct a new market, greenhouse and warehouse building on approximately 13.2 acres of land which includes the existing facility. There have been safety concerns for years resulting from the site's ingress and egress options available at the Transit Road/Millersport Highway intersection. It is very difficult leaving the site, especially when attempting to head south. There have also been numerous accidents including fatalities from vehicles heading north on Millersport Highway leaving the road and colliding with the existing building which is quite near the highway. The building itself, which is comprised of a series of building additions constructed since the original building was built circa 1949, has exceeded its useful life span. There are issues with the roof, structural members and floor that are cost prohibitive to address. The new facility would be constructed much more distant from Transit Road and would have a new entrance off Tonawanda Creek Road to help alleviate concerns over traffic safety and the constant fear of vehicles strikes. Two parcels amounting to 6.9 acres in size would be linked to the existing 6.3 acre parcel to provide enough space for the building, setbacks, buffers, parking, new stormwater management facility, truck maneuverability and new sewage disposal system. A plan was created to effect all of the positives noted above, which fully complied with all town requirements for parking, greenspace and setbacks. Unfortunately, through the initial study and planning phase of the project, 5.28 acres of state and federal wetland were found on the northerly two added parcels. The owner and their representatives have been working with the New York State Department of Environmental Conservation (NYSDEC) and US Army Corps of Engineers (USACOE) to minimize wetland impacts in the hopes of securing a wetland permit needed for construction. The project has been drastically scaled back, removing many of the facility enhancements such as a bakery, to a point where the project is at the bare minimum capable of making the project financially viable. Even with the project scale reductions, the USACOE and NYSDEC are not fully satisfied with the remaining wetland impacts. As such, they have asked us to pursue variances from the town in order to move the new facilities farther off the wetland areas. The plan submitted herewith, if implemented, will allow us to reduce wetland impacts by almost 0.7 acre. The plan includes two areas which do not fully comply with the town's zoning ordinance. Without this plan, we fear that the NYSDEC and USACOE may deny the wetland impact permit which will kill the project.

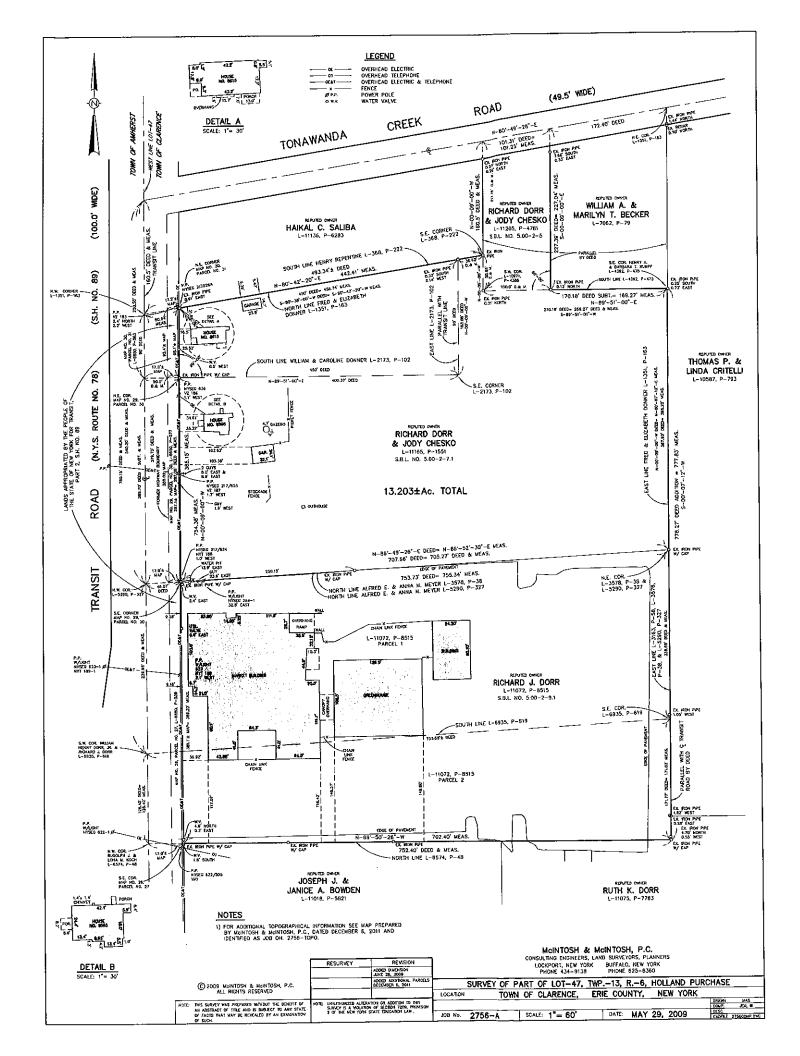
The variances requested are as follows:

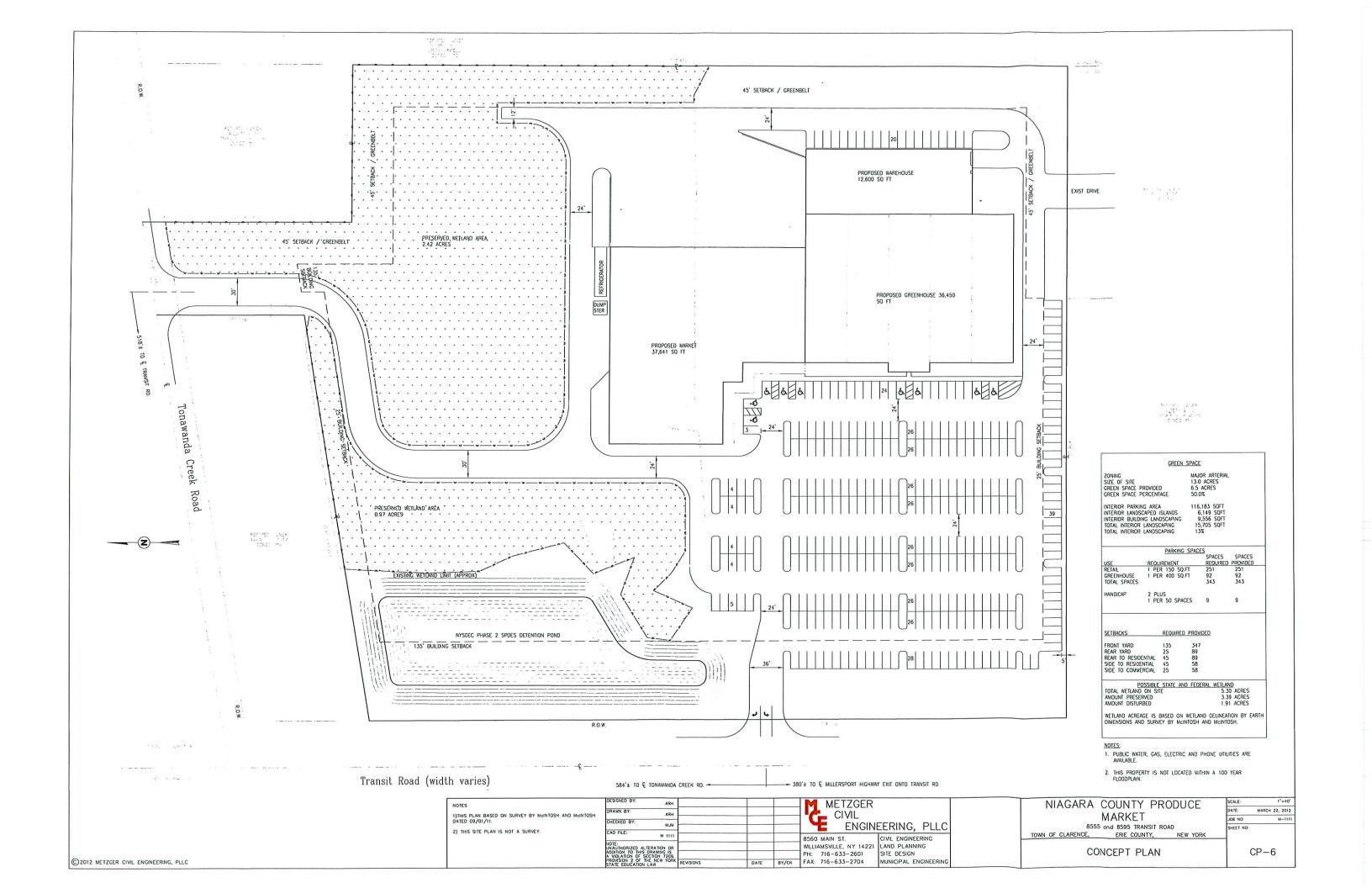
1. An encroachment into the required 135' setback from the centerline of Transit Road. We are requesting to place parking at a point where the leading edge would be 103' from the centerline of Transit Road. It is important to note that the existing area is currently paved right up to the pavement of Transit Road for its full width. The area between the new parking lot pavement edge and the Transit Road pavement edge will be removed of existing pavement and replaced with a finished surface of maintained lawn and landscaped area adding 73' of green to an area that is currently paved.

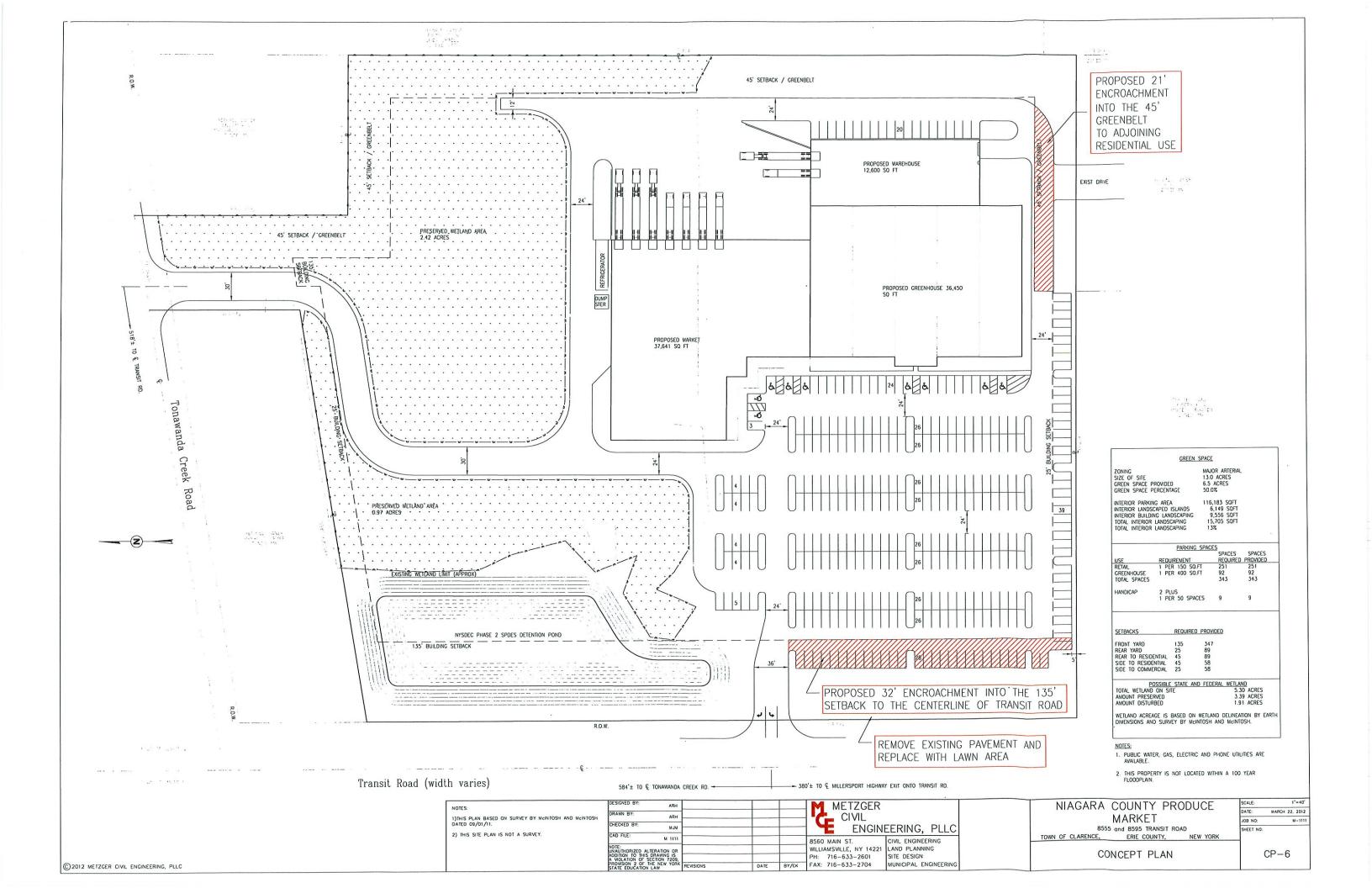
2. The second variance request is for the 45' greenbelt required between a commercial use and a residential use. The far back, southeast corner of the property abuts the owner's own home which resides on a separate parcel of land. Existing paving extends up to and beyond the property line between the two parcels. Our request would be to allow the driving lane servicing the back of the property to extend into the required 45' greenbelt (which is currently all paved) by 21'.

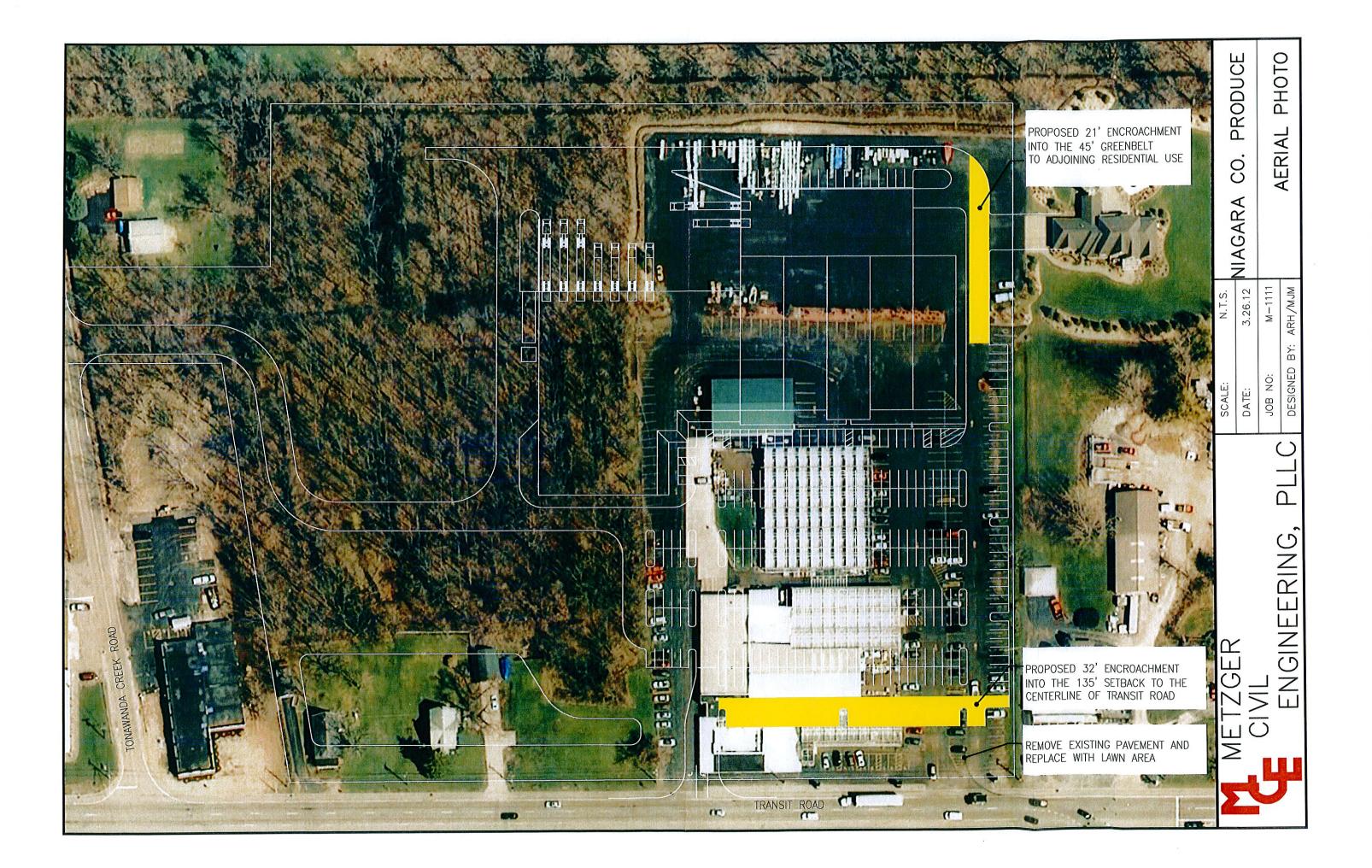
As noted above, the requested variances would allow a significant reduction in the amount of federal and state wetland that would be impacted, comes at the direct request of the NYSDEC, will still result in a betterment of the existing condition, and the only residential user potentially impacted by the reduction in greenbelt designed to protect residential users is the owner of the property making the request.

We respectfully ask that you look favorably upon this request and grant the variances as submitted.









REQUEST FOR **ACTION BY:** M Appeal Rec'd. by: Brad Packard TOWN OF CLARENCE, N.Y. ☐ Rezone ☐ Revise Ordinance Date March 28, 2012 M Appeal Board ☐ Subdivision ☐ Limited Use Permit ☐ Planning Board ☐ Other ☐ Town Board Applicant is requesting a 53 unit or a 5.9 units per acre **Action Desired** variance to allow for the construction of a new multi-family senior housing apartment development having 125 units or 13.9 units per acre at 8040 Roll Road in the Commercial zoning district. Variance Request: Requested living unit density- 13.9 units per acre (125 units) 8.0 units per acre (72 units) Maximum living unit density-Reason _ 5.9 units per acre (53 units) Resulting variance request-PLEASE PRINT Affordable Senior Housing Opportunities Nameof New York (Contact: Gary Clunie) Address 348 Harris Hill Road Town Code Reference: Williamsville NY14221 Section 229-126(B) State Zip Town/City Phone 688-8640 Signed SIGNATURE ON FILE Requests for action on zoning should be filled out completely in above spaces if practicable, otherwise give brief description and refer to attached papers. The complete request with all necessary plans, maps, signatures, should be filled with the Secretary of the Planning Board. Requests (except appeals) may be filled with the Town Clerk or Town Board, but will generally be referred to Planning Board with subsequent loss of time. Initial Action Approved by on 19 Rejected Approved Rejected on 19 Published (Attach Clipping) Final Action Taken Approved

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Affordable Senior Housing Opportunities of New York, Inc. Request For Density Variance December 30, 2011

Affordable Senior Housing Opportunities of New York, Inc. is seeking a density variance to allow the implementation of an apartment building at 8040 Roll Road for senior citizens capable of living independently. The requested variance is similar to those granted to other apartment buildings in the Town of Clarence such as the Coventry Green apartments and Oak apartments. Coventry Green apartments has a higher persons per unit density and thus a higher persons per acre density than the proposed apartment building at 8040 Roll Road in that the Coventry Green apartments are available to individuals and families whereas the occupancy at the apartments proposed at 8040 Roll Road is limited to senior citizens capable of living independently.

The unit mix at the Coventry Green apartments contains more three bedroom apartments than one bedroom apartments and Coventry Green was granted a 66 unit variance while Affordable Senior Housing Opportunities of New York, Inc. is seeking a 59 unit variance.

The Clarence Town Board has approved the amendment of the Land Use Map within the Master Plan to accommodate the implementation of our proposed apartment building and they have unanimously issued a negative declaration on the SEQR review for the rezoning and concept plan indicating that the apartment building will have no adverse impact on the environment. The Town of Clarence Planning Board has unanimously approved the concept plan for the project.

Uses permitted within the commercial district with a special exception use permit, such as a shopping plaza, have significantly greater traffic counts than our proposed use. If we implemented a 81,250 square foot shopping plaza on the property, it would generate approximately 300 vehicle trips per hour during the weekday peak hourly travel periods according to the American Institute of Transportation Engineers Eighth Edition. This is several multiples more than the trips generated by our proposed tenants in similar hourly travel periods. The American Institute of Transportation Engineers estimates morning hourly peak travel numbers for at 13% and evening hourly peak travel numbers at 16% for our proposed use. These numbers would translate into 17.03 cars per hour in the morning and 21 cars per hour in the evening (these numbers include visitors and staff and include incoming and outgoing cars). Additionally, an independent traffic study was completed at one of our existing apartment buildings for senior citizens capable of living independently. The study found a morning hourly peak travel number at 12% and an evening peak travel number at 28%. These numbers would translate into 15.72 cars per hour in the morning and 36.68 cars in the evening (these numbers also included visitors and staff and included incoming and outgoing cars). The independent study was completed in August so as not to skew the numbers downward due to inclement weather conditions.

The Erie County Traffic Engineer has advised that the proposed project will have minimal impact on the traffic in and around the surrounding area.

There have been questions raised by the Zoning Board of Appeals regarding the landscaping, exterior lighting and exterior finishes among other things for the proposed apartment building. Affordable Senior Housing Opportunities of New York, Inc. will need to comply with the building code and ordinances of the Town of Clarence in order to implement the proposed development concept. Our site plan will require the approval of the Town of Clarence Planning Board and the landscaping plan shall require the approval of the Town of Clarence Landscape Committee.

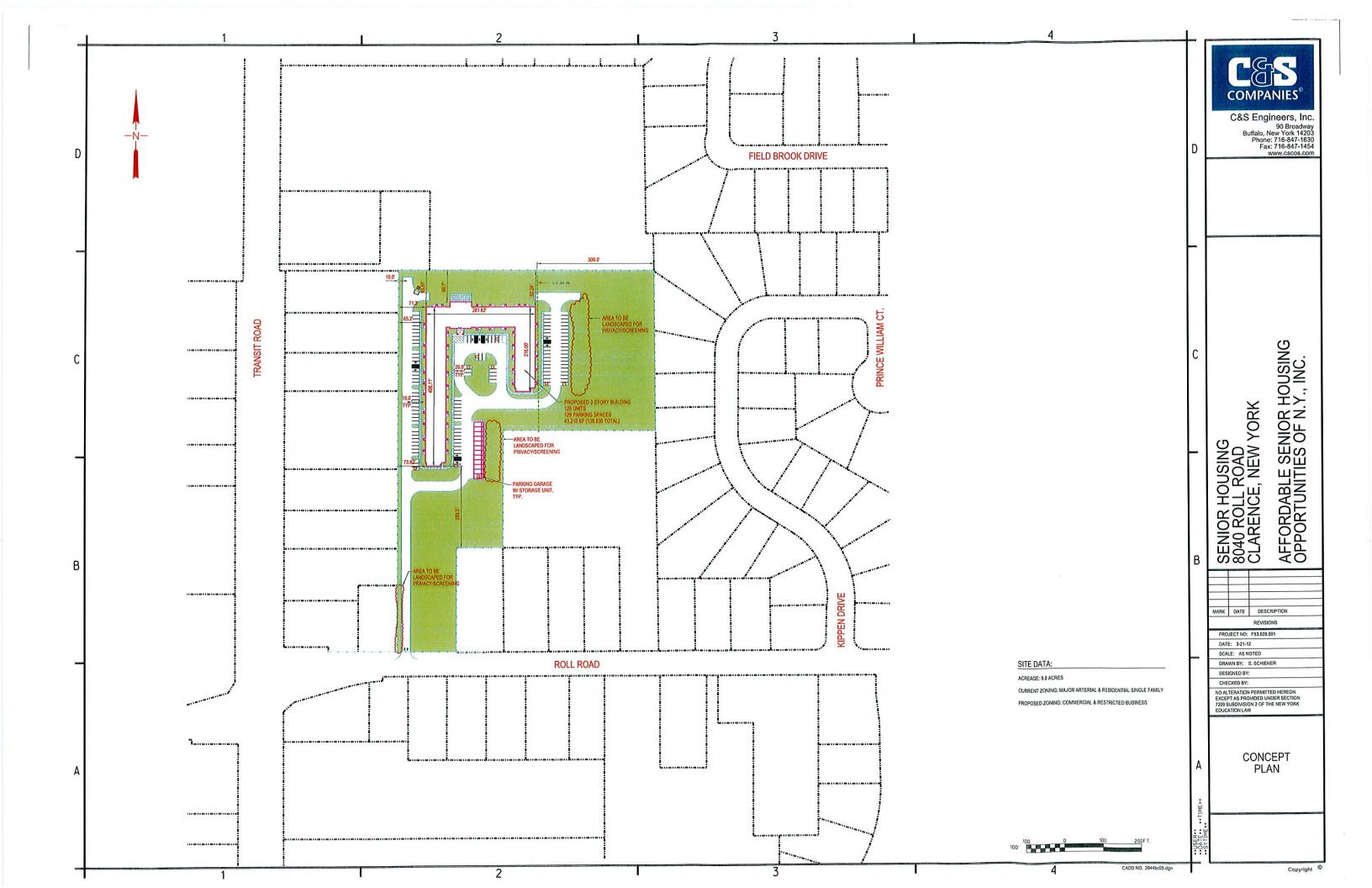
Affordable Senior Housing Opportunities of New York, Inc. Request For Density Variance December 30, 2011 Page 2

We have recently implemented a similar apartment building in the Town of Amherst at 2730 North Forest Road. This building was shown in the photos provided with our variance petition. Please feel free to visit the building if you wish to get a better feel for the architectural style of the apartment building. At this time we would respectfully request that you limit your visitation of the building to its exterior parking lot and adjoining roads.

I hope you find this information useful and look forward to continuing our discussions at the next meeting of the Zoning Board of Appeals on January 10, 2011.





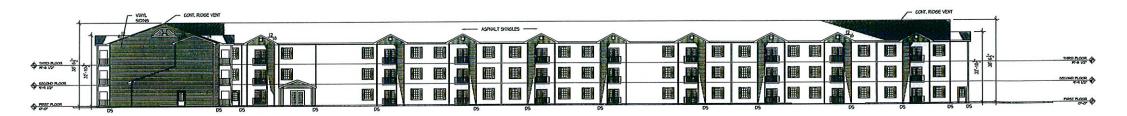




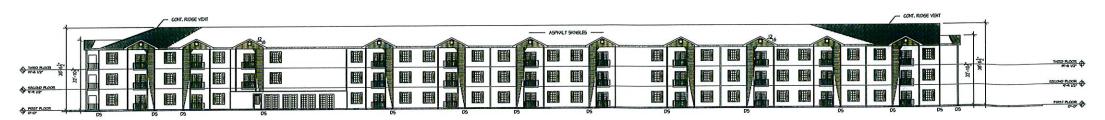
SOUTH ELEVATION SCALE . 1/16" = 1'-0"



NORTH ELEVATION SCALE: 1/6° = 1'-0'



3 EAST ELEVATION



WEST ELEVATION

REVISION DESCRIPTION

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HOUSING SENIOR CILA **ELEVATIONS** NOSNHOR exterior MUSSACHIO

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DATE 02-25-11